

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

KENNETH V. AWE ,

Petitioner,
v.

GRANT COUNTY COURT OF WISCONSIN,

Respondent.

ORDER

Case No. 14-cv-200-wmc

Petitioner Kenneth V. Awe seeks a federal writ of habeas corpus pursuant to 28 U.S.C. § 2254 to challenge his sentence. Petitioner has submitted a motion for leave to proceed *in forma pauperis*. (Dkt. # 2). The court cannot consider this motion, however, because it lacks supporting documentation regarding his eligibility for indigent status. For this case to move forward, petitioner must either pay the \$5 filing fee or submit a certified inmate trust fund account statement (or institutional equivalent) for the six-month period immediately preceding the filing of his habeas corpus petition. *See* 28 U.S.C. § 1915(a)(2); *Longbehn v. United States*, 169 F.3d 1082 (7th Cir. 1999). If petitioner does not submit either the \$5 filing fee or a trust fund account statement before April 4, 2014, the court will assume that he wishes to withdraw this action voluntarily and will dismiss the petition without prejudice.

ORDER

IT IS ORDERED that:

1. The motion for leave to proceed *in forma pauperis* (Dkt. # 2) is DENIED at this time.
2. No later than April 4, 2014, petitioner Kenneth V. Awe shall pay the \$5 filing fee or submit a certified copy of his inmate trust fund account statement for the six-month period from the date of the habeas petition (September 1, 2013 through at least March 1, 2014).

3. Petitioner is advised that, if he fails to comply as directed or show cause for his failure to do so, the court will assume that he does not wish to proceed and this case will be dismissed without further notice.

Entered this 14th day of March, 2014.

BY THE COURT:

/s/
PETER OPPENEER
Magistrate Judge